

Walter O'Cheskey  
 Chapter 13 Trustee  
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IN THE UNITED STATES BANKRUPTCY COURT  
 NORTHERN DISTRICT OF TEXAS  
 WICHITA FALLS DIVISION

IN RE:

SEYHAN SOBAY

CASE NO: 13-70108-HDH-13

HEARING DATE: 12/18/2013

HEARING TIME: 10:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND  
 PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

**I.**

**OBJECTION -- NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
020 0 U	CITIBANK SD NA	\$8,904.00	024 0 U	FIRST NATIONAL BANK CREDIT CARD CENTER	\$1,567.00
025 0 U	JC PENNEY	\$448.00	026 0 U	SAMS CLUB GEMB	\$1,670.00
027 0 U	UNVL CITI	\$7,281.00			

**II.**

**SPECIFIC OBJECTIONS**

No Objections

**III.**

**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<b>SECURED CREDITORS</b>							
008 0	WICHITA COUNTY	2012-13 BUSINESS PERS PROPERTY TAX/3111 MIDWESTERN PK	\$988.28	\$38,339.00	12.00%	12	\$251.44 PAID BY TRUSTE
Claim term extended from 8 to 12 months. See Trustee's Modification below.							
009 0 *	CAPITAL ONE AUTO FINANCE	2006 FORD EXPEDITION	\$5,599.25	\$7,875.00			SURRENDERED
010 0 *	CITY OF WF, WFISD, WICHITA CO	PROPERTY TAXES/4921 BIG BEND DR	\$0.00	\$136,524.00			SURRENDERED
011 0 *	WELLS FARGO HOME MORTGAGE	4921 BIG BEND DR	\$90,789.49	\$136,524.00			SURRENDERED
012 0	WICHITA COUNTY	2013 PROPERTY TAXES/3005 GRANT ST	\$3,913.00	\$165,421.00			PD DIRECT BY DEBTOR
013 0	WICHITA COUNTY	2013 PROPERTY TAXES/BUS PER PROP TAX @ 3005 GRANT	\$1,518.00	\$64,095.00			PD DIRECT BY DEBTOR
014 0	FIRST NATIONAL BANK	HOMESTEAD/3005 GRANT	\$33,523.13	\$165,421.00			PD DIRECT BY DEBTOR

**UNSECURED GENERAL CREDITORS**

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
015 0 U	BECKET & LEE LLP	\$27,119.84	016 0 U	ECAST SETTLEMENT CORPORATION	\$20,140.09

PURCHASES/AMERICAN EXPRESS BANK

PURCHASES/BANK OF AMERICA

017 0 U	Case 13-70108-hdh13 Doc 30 Filed 11/04/13	Entered 11/04/13 16:22:44	Page 2 of 4
	PRA RECEIVABLES MANAGEMENT	\$2,015.38	PRA RECEIVABLES MANAGEMENT \$9,888.30
	PURCHASES/CAPITAL ONE		PURCHASES/CHASE BANK
019 0 U	PRA RECEIVABLES MANAGEMENT	\$5,454.01	DISCOVER FINANCIAL SERVICES \$12,732.84
	PURCHASES/CHASE		PURCHASES
022 0 U	DISCOVER FINANCIAL SERVICES	\$10,474.49	FIA CARD SERVICES \$13,477.09
	PURCHASES		PURCHASES

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely response or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

#### IV.

#### **TRUSTEE'S PLAN MODIFICATION**

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

Wichita County's \$988.28 secured claim shall be valued for \$38,339.00 and paid 12% interest over the remainder of a 12 month term with monthly payments of \$251.44.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 12/18/2013 AT 10:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 208, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 11/5/2013

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

ALLIED INTERSTATE 3000 CORPORATE EXCHANGE DR COLUMBUS OH 43231  
AMERICAN EXPRESS PO BOX 981535 EL PASO TX 79998  
ANH P NGUYEN 550 WESTCOTT SUITE 560 HOUSTON TX 77007  
ASCENSION CAPITAL GROUP INC ATTN CAPITAL ONE AUTO FINANCE DEPT PO BOX 201347 ACCT 9250 ARLINGTON TX 76006  
BANK OF AMERICA PO BOX 982235 EL PASO TX 79998  
BANK OF AMERICA PO BOX 982238 EL PASO TX 79998  
BECKET & LEE LLP ATTORNEYS AT LAW 16 GENERAL WARREN, PO BOX 3001 MALVERN PA 19355  
CAPITAL 1 BANK ATTN BANKRUPTCY DEPT PO BOX 30285 SALT LAKE CITY UT 84130  
CAPITAL ONE AUTO FINANCE 3901 DALLAS PKWY PLANO TX 75093  
CAPITAL ONE AUTO FINANCE C/O ASCENSION CAPITAL GROUP PO BOX 201347 ARLINGTON TX 76006  
CAPITAL ONE AUTO FINANCE CAPITAL ONE NA PO BOX 201347 ARLINGTON TX 76006  
CHASE MHT BK ATTENTION: BANKRUPTCY PO BOX 15298 WILMINGTON DE 19850  
CHASE PO BOX 15298 WILMINGTON DE 19850  
CITIBANK PO BOX 790034 ST LOUIS MO 63179  
CITIBANK SD NA ATTN: CENTRALIZED BANKRUPTCY PO BOX 20507 KANSAS CITY MO 64195  
CITY OF WF, WFISD, WICHITA CO C/O HAROLD LEREW PO BOX 8188 WICHITA FALLS TX 76307  
DEBTALERT 4836 BRACKSVILLE RD PO BOX 539 WEST RICHLFIELD OH 44286  
DISCOVER FIN SVCS LLC PO BOX 15316 WILMINGTON DE 19850  
DISCOVER FINANCIAL SERVICES PO BOX 3025 NEW ALBANY OH 43054  
ECAST SETTLEMENT CORPORATION PO BOX 29262 NEW YORK NY 10087  
FIA CARD SERVICES BANK OF AMERICA PO BOX 15102 WILMINGTON DE 19886  
FIA CARD SERVICES NA 4161 PIEDMONT PARKWAY NC 105 03 14 GREENSBORO NC 27410  
FIA CARD SERVICES NA PO BOX 982284 EL PASO TX 79998  
FIA CARD SERVICES PO BOX 932238 EL PASO TX 79998  
FIRST NATIONAL BANK CREDIT CARD CENTER ATTN: BANKRUPTCY DEPARTMENT 1620 DODGE ST STOP CODE 3105 OMAHA NE 68197  
FIRST NATIONAL BANK PO BOX 94905 WICHITA FALLS TX 76308  
GEMB JC PENNY ATTENTION : BANKRUPTCY PO BOX 103104 ROSWELL GA 30076  
INTERNAL REVENUE SERVICE PO BOX 7317 PHILADELPHIA PA 19101  
INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA PA 19101  
JC PENNEY PO BOX 533 DALLAS TX 75221  
MICHELLE EDWARDS 4819 BIG BEND DR WICHITA FALLS TX 76310  
PITE DUNCAN LLP 4375 JUTLAND DRIVE SUITE 200 PO BOX 17933 SAN DIEGO CA 92177  
PRA RECEIVABLES MANAGEMENT PORTFOLIO REC ASSOC PO BOX 41067 NORFOLK VA 23541  
PRA RECEIVABLES MANAGEMENT PORTFOLIO RECOVERY ASSOC PO BOX 12914 NORFOLK VA 23541  
SAMS CLUB GEMB ATTENTION: BANKRUPTCY DEPARTMENT PO BOX 103104 ROSWELL GA 30076  
SEYHAN SOBAY 3005 GRANT ST WICHITA FALLS TX 76308  
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102  
UNVL CITI ATTN CENTRALIZED BANKRUPTCY PO BOX 20507 KANSAS CITY MO 64195  
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242  
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530  
WACHOVIA MORTGAGE/WORLD SAVINGS AND LOAN ATTN: BANKRUPTCY DEPT (T7419-015) PO BOX 659558 SAN ANTONIO TX 78265  
WELLS FARGO BANK/WACHOVIA MTG ATTN BANKRUPTCY 4101 WISEMAN BLVD MAC#T7416-023 SAN ANTONIO TX 78251  
WELLS FARGO HOME MORTGAGE 1 HOME CAMPUS X2302-041 DES MOINES IA 50306  
WICHITA COUNTY PO BOX 1471 WICHITA FALLS TX 76307